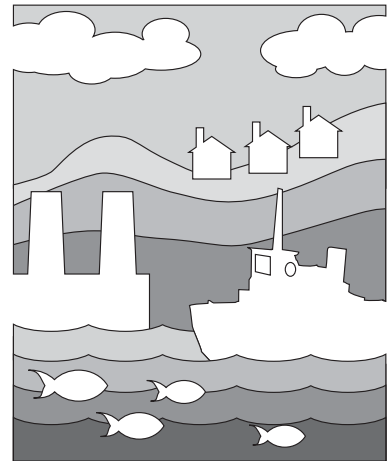


# **Lower Duwamish Waterway Site Community Involvement Plan**

---



**October 2002**





# Lower Duwamish Waterway Site Seattle, Washington



October 2002

## Community Involvement Plan

The Washington State Department of Ecology (Ecology) and the U.S. Environmental Protection Agency (EPA) have developed this community involvement plan to promote meaningful community involvement during the investigation and cleanup of contaminated sediments at the Lower Duwamish Waterway Superfund site. This plan identifies community concerns about the site and outlines opportunities for the community to become involved in activities for the site.

Ecology and EPA based this plan on interviews that they and the Washington State Department of Health had with individuals who live or work in the community, elected officials who represent the community, and members of organizations that work with the community. The plan also reflects comments the agencies have heard at meetings with community organizations. Ecology and EPA may update this plan at any time and will update it after the final cleanup plan for the site is selected. If you have questions or need more information about this plan or the Lower Duwamish Waterway site, please contact EPA Community Involvement Coordinator Cindy Colgate Schuster at (206) 553-1815 or [schuster.cindy@epa.gov](mailto:schuster.cindy@epa.gov).

### **This plan contains the following sections:**

|  |    |
|--|----|
| Site Description and Background .....                      | 2  |
| Investigation and Cleanup Activities .....                 | 2  |
| Community Members Tell Us What They Think .....            | 4  |
| Community Members Tell Us How to Reach Them .....          | 5  |
| Ecology and EPA Invite the Community to Get Involved ..... | 6  |
| Flow Diagram: The Cleanup Process .....                    | 9  |
| Appendix: Community Involvement Activities to Date .....   | 10 |
| More Information .....                                     | 11 |

## Site Description and Background

The Lower Duwamish Waterway site lies within King County, in the city of Seattle and a small portion of the city of Tukwila. The area close to this site has a mix of residential, business and heavy industrial use. The city of Seattle neighborhoods of Georgetown and South Park are adjacent to the site. Some of the people interviewed for this plan described the community as one of the most diverse in King County, mostly lower income working class, with many people who have been in the community for generations. They note that the community includes a large population of Hispanic and Native Americans, as well as Asians, South Pacific Islanders and Russian-speaking groups. The community is described as an area sandwiched between two freeways, and it is noted that people from outside the community come to the area to use the river. Interviewees also noted that the community is changing rapidly, with buildings being torn down and new ones being built.

The Lower Duwamish Waterway has served as Seattle's major industrial corridor since it was first created by a widening and straightening of the Lower Duwamish River, completed in 1911. The waterway is habitat to numerous fish and other aquatic species. It is a migratory corridor for several species of salmon, including the Chinook. In March of 1999, the Chinook was listed under the Endangered Species Act as threatened.

In 1999, EPA completed an assessment of the Lower Duwamish Waterway sediments. The assessed area of the waterway is approximately six miles in length, and extends from the southern tip of Harbor Island to just south of the turning basin near the Norfolk combined sewer overflow (see map). Contaminants found in the waterway include polychlorinated biphenyls (PCBs), polyaromatic hydrocarbons (PAHs), mercury and other metals, and phthalates. Sources of these contaminants include industrial releases, sewer system outfalls, and urban runoff.

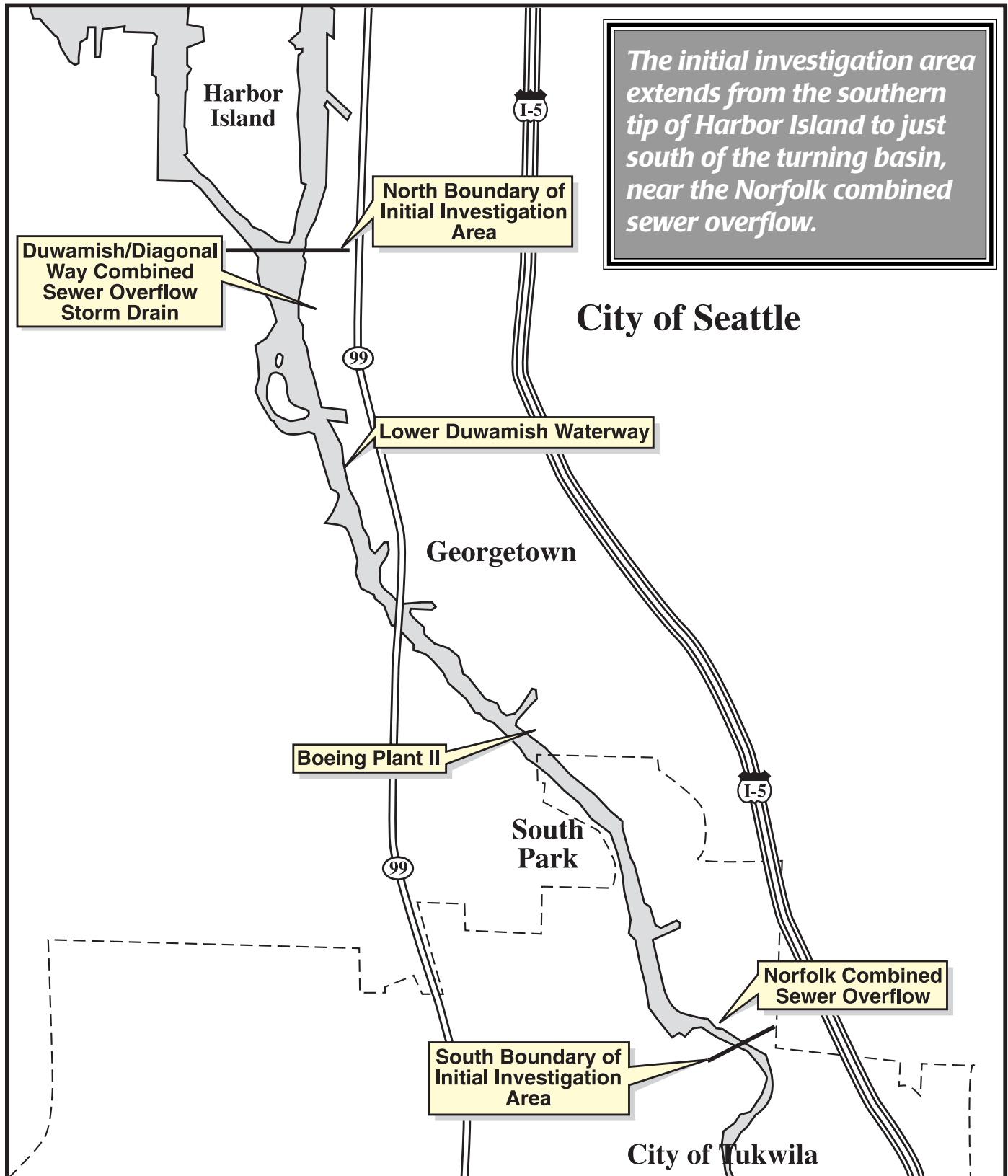
After concurrence by the Governor of Washington State and a comment period extended due to public request, EPA added the Lower Duwamish Waterway site to the Superfund list on September 13, 2001. This is EPA's list of the nation's most contaminated hazardous waste sites that are targeted for investigation and cleanup. In addition, on February 26, 2002, Ecology added the waterway to its hazardous sites list, which is Ecology's list of the state's most contaminated hazardous waste sites that are targeted for investigation and cleanup.

## Investigation and Cleanup Activities

In 2000, Ecology and EPA signed a legal agreement, called an administrative order on consent, with King County, the City of Seattle, the Port of Seattle and The Boeing Company. Under the agreement, Ecology and EPA are overseeing a remedial investigation/feasibility study being conducted by the other four parties.

The investigation/study, which is divided into two phases, will determine the nature and extent of sediment contamination at the site and ongoing sources of the contamination. Phase I includes these activities: summarize results of previous investigations; assess risks to human health and the environment using existing data; propose priority areas for early cleanup; and identify gaps in existing investigation data. Phase II continues the process: obtain further data to fill gaps in the investigation; further assess risks to human health and the environment; identify cleanup alternatives; and propose a long-term cleanup.

The investigation is part of the process that will lead to cleanup of contaminated sediments at the Lower Duwamish Waterway site. The flowchart on page 9 of this plan shows investigation and cleanup activities and associated community involvement activities.



## Community Members Tell Us What They Think

Are you concerned about the Lower Duwamish Waterway site? During twenty-five Duwamish community interviews, most of the people interviewed expressed concerns about the site; those concerns are summarized below. A few people did not have concerns about the site. Ecology and EPA will work to respond to community concerns through the cleanup process and through coordination with other organizations, such as state and local health agencies, and the community advisory group that has been established for the site.

- ✿ **Health:** One person interviewed was confident that health risks will be addressed, but others are concerned that living close to the Duwamish Waterway could affect their health. People expressed concern about consumption of all bottomfish and parts of other fish, as well as contamination from chemicals, bacteria and viruses. There is concern about exposure to contaminated sediments through contact at public access parks, employment at industries on the waterway, restoration work, and Superfund or other cleanup work. Some said that there should be limited access to the river if there is a health risk.
- ✿ **Wildlife:** Not everyone interviewed believes that wildlife is being affected by contamination, but most expressed concern for fish and wildlife. Sea lions, salmon, bottomfish, crabs, mussels, clams, opossums, squirrels, ducks and other birds were mentioned, as well as concern about the disappearance of herons and for herons on Kellogg Island in the Duwamish Waterway.
- ✿ **Domestic animals:** There is concern about dogs eating garbage from the river and horses being on a greenbelt above the river.
- ✿ **River and groundwater contamination:** There is concern that the river is dying and that it contains contaminants, including PCBs and mercury. There is concern about the effect of septic systems near the river; sewer overflows; surface water runoff, including oil, antifreeze and fertilizers; unreported spills and illegal dumping; and pumping of waste into the river or groundwater. There is concern that permits for discharges to the river are not being enforced or will be revised to be less strict. There is concern that sources of PCBs are not being addressed.
- ✿ **Economics:** Some people interviewed are concerned about contamination lowering property values. Others are concerned that businesses will leave the area due to the designation of the Lower Duwamish Waterway as a Superfund site.
- ✿ **Lawsuits:** Some people mentioned concern about potential Superfund lawsuits.
- ✿ **Cleanup:** Some people are concerned that South Park and the businesses on the water will be affected by cleanup activities, such as increased truck or barge traffic and potential accidents. Some people are concerned that, if dredging is selected as a cleanup method, it may be costly or may stir up contamination. There are concerns about the costs of damages to natural resources and the possibility that parties responsible for contamination will do some early cleanup activities and nothing more.
- ✿ **Information:** Several people expressed concern about a lack of warning signs for fishermen and recreational users and suggested that such signs should be installed. People are concerned about whether adequate information reaches the Spanish-speaking and other non-English-speaking communities and whether the average person and immigrants understand the risks.

The community also expressed concerns that are outside the scope of the Lower Duwamish Waterway Superfund site investigation and cleanup.

- ❁ **Health:** A number of people expressed concern about a variety of health issues: insufficient health care in the area; high incidence of asthma, cancer and heart disease; smoking; air pollution; and contamination from Canada geese droppings. There is also concern that contractors for other contaminated sites on the Duwamish Waterway are not being told that they are working on contaminated sites.
- ❁ **Habitat:** One person stated concern about a lack of eelgrass and some mentioned loss of plants along the waterway.
- ❁ **Buildings:** There is concern about industries and building construction too close to the shoreline.
- ❁ **Contaminated soils:** There is concern that past construction activities have exposed oily soils and that there may be contaminated soils in South Park.
- ❁ **Endangered Species Act:** Some people expressed concern that Endangered Species Act requirements will not be clear.
- ❁ **Airport:** There is concern about the number of planes that fly over the neighborhood and about expansion of a runway into the community.
- ❁ **Image:** While some people described the Duwamish Waterway neighborhood as an industrial area, others are concerned that it is perceived as an industrial area or a dumping ground.

## Community Members Tell Us How to Reach Them

Several people interviewed requested that the state and federal governments take a unified approach to providing information about all of the activities occurring in the Duwamish Waterway. Most of these people want to receive fact sheets when there is an upcoming action or an opportunity for input. Fact sheets were requested in plain English that is easy to understand. Translations into Spanish and possibly other languages are a necessity.

Some people suggested posting information at, or providing video and audio tapes to, existing organizations. There was a suggestion that Ecology and EPA work with the community through the community advisory group for the site.

Most people interviewed would like to receive information on their computers—by web sites, electronic fact sheets, or electronic messages. However, people also mentioned that many members of the community around the Duwamish Waterway do not have computers.

Most people interviewed recommended that Duwamish community meetings be held at least twice a year. Suggested meetings included public meetings, community advisory group meetings, and EPA and Ecology participation in meetings of businesses and other community organizations.

There was some interest in receiving information through letters, mailings of documents, flyers, newspaper advertisements, articles in organization newsletters, telephone calls and public service announcements. Some people felt that radio and newspapers were ineffective means of communicating information about the waterway cleanup.

## **Ecology and EPA Invite the Community to Get Involved**

Ecology and EPA will continue to use a variety of activities to facilitate community involvement in the planning, investigation and cleanup of the Lower Duwamish Waterway site. An appendix to this plan lists community involvement activities to date.

Ecology and EPA recognize that there are ongoing sediment cleanup activities at Boeing Plant 2 and the Duwamish/Diagonal Way combined sewer overflow. Ecology and EPA intend to coordinate public information about these cleanups. For example, the Lower Duwamish Waterway web site announced a public meeting on the Duwamish/Diagonal Way combined sewer overflow. Ecology and EPA also intend to coordinate additional public involvement activities required under the federal Clean Water Act.

The following describes continuing and future involvement opportunities planned by Ecology and EPA. The flowchart on page 9 of this plan shows when these activities will occur during the investigation and cleanup process.

### ***Read Our Fact Sheets***

EPA and Ecology will continue to mail fact sheets to persons and organizations interested in the Lower Duwamish Waterway to inform them of public meetings and comment opportunities, important site activities, and progress on the site cleanup.

### ***Get on Our Mailing Lists***

Ecology and EPA have compiled mailing lists of persons and organizations believed to be interested in the site for both English- and Spanish-language mailings. Please contact Cindy Colgate Schuster at (206) 553-1815 or [schuster.cindy@epa.gov](mailto:schuster.cindy@epa.gov) if you would like to have your address added to or deleted from either of these mailing lists.

### ***Visit Our Web Page***

Ecology and EPA have developed a web page for the Lower Duwamish Waterway site. To access the web page, go to <http://www.epa.gov/r10earth>, select "Index," then the letter "L," and then "Lower Duwamish Waterway Site." The web page is updated frequently with meeting announcements, fact sheets, legal and technical site documents, newspaper articles and links to other related web sites.

### ***Contact the Duwamish River Cleanup Coalition***

A community advisory group, the Duwamish River Cleanup Coalition, has formed to provide independent technical oversight of site activities and carry out independent public outreach tasks related to the Lower Duwamish Waterway site.

Opportunities available through the group include attending or hosting community briefings; participating in river tours, volunteer cleanups, and planting/restoration projects; receiving technical assistance in understanding site documents; helping to review and comment on site documents; and serving as a community representative on the coalition board.

If you are interested in joining the coalition or would like more information about it, please contact the group's coordinator:

BJ Cummings  
Duwamish River Cleanup Coalition  
5410 First Avenue N.E.  
Seattle, WA 98105  
(206) 227-3811  
[info@duwamishcleanup.org](mailto:info@duwamishcleanup.org)

### ***Attend Public Meetings about the Site***

Ecology and EPA will offer public meetings for actions expected to be of particular interest to the community, including these:

- ✿ Draft phase I remedial investigation report/early action site identification/identification of data gaps
- ✿ Draft phase II remedial investigation/feasibility study report
- ✿ Proposed plan for the final cleanup
- ✿ Any major changes to the final cleanup plan
- ✿ Final engineering design for the final cleanup

These meetings will be held at locations convenient to the community.

In addition, Ecology and EPA will continue participating in meetings held by community organizations. Please contact Cindy Colgate Schuster at (206) 553-1815 or [schuster.cindy@epa.gov](mailto:schuster.cindy@epa.gov) if you would like for us to meet with your organization.

### ***Comment During Public Comment Periods***

Comment periods are the primary method Ecology and EPA use to get feedback from the public on proposed cleanup decisions. Comment periods usually last thirty days and are required at key points during the investigation and cleanup process before final decisions are made.

During a comment period, the public can comment in writing. Oral comments are taken if a public hearing is held. After formal comment periods, Ecology and EPA review all comments received and may respond in a document called a *Responsiveness Summary*.

EPA and Ecology will hold formal public comment periods for these actions:

- ✿ Draft phase II remedial investigation/feasibility study report
- ✿ Proposed plan for the final cleanup
- ✿ Any major changes to the final cleanup plan
- ✿ Legal agreements that are handled by a court
- ✿ Deletion of the site from the Superfund list

The agencies may hold additional formal or informal comment periods.

### ***Read Site Documents at an Information Repository***

Information repositories are places where the public may read and review site information, including documents that are the subjects of public comment periods.

Ecology and EPA have established three repositories for the Lower Duwamish Waterway site:

- ✿ South Park Community Center, 8319 Eighth Avenue South, Seattle, WA 98101, (206) 684-7451
- ✿ U.S. EPA Region 10 Records Center, 1200 Sixth Avenue, ECL-076, Seattle, WA 98101, (206) 553-4494. Please call for an appointment.
- ✿ Washington State Department of Ecology, Northwest Regional Office, 3190 160th Avenue SE, Bellevue, WA 98008, (425) 649-7190. Please call for an appointment.

The EPA and Ecology repository staff, as well as the contacts listed at the end of this plan, can tell community members how to get copies of site documents.



***Read the Site Register and Federal Register***

Ecology's Toxics Cleanup Program uses its bimonthly *Site Register* to announce all its public meetings and comment periods, as well as many other activities. To receive the *Site Register*, contact Sherrie Minnick at (360) 407-7200 or by email at [shan461@ecy.wa.gov](mailto:shan461@ecy.wa.gov). It is also available on Ecology's web site at [http://www.ecy.wa.gov/programs/tcp/pub\\_inv2.html](http://www.ecy.wa.gov/programs/tcp/pub_inv2.html).

EPA uses the *Federal Register* to announce the proposed listing, final listing and deletion of Superfund sites, as well as certain proposed legal agreements for Superfund cleanups. EPA will post *Federal Register* notices for the Lower Duwamish Waterway on the web page for the site. (See "Visit Our Web Page" on page 6.)

***Look for Our Newspaper Ads and Inserts***

Ecology and EPA may place ads or inserts in *The Seattle Times* or the *Seattle Post-Intelligencer* to announce public comment periods and public meetings or hearings for the Lower Duwamish Waterway site. The agencies may also place ads or inserts in newspapers that serve Hispanic or other groups within the Duwamish community.

***Get Information for Non-English-Speaking Communities***

Ecology and EPA recognize the need to communicate with the non-English-speaking people affected by the Lower Duwamish Waterway site. The agencies have provided Spanish translations of several site documents, offered Spanish interpretation for public meetings, and attended meetings of Hispanic community members. Ecology and EPA are considering whether additional targeted outreach is needed for the site.

***Hispanic Community Involvement Supplement for the Lower Duwamish Waterway Site***

This plan is available at the site repositories and on the Lower Duwamish Waterway web site. You may also request a copy from one of these EPA representatives:

Lilibeth Serrano  
(206) 553-1388  
[serrano-velez.lilibeth@epa.gov](mailto:serrano-velez.lilibeth@epa.gov)

Cindy Colgate Schuster  
(206) 553-1815  
[schuster.cindy@epa.gov](mailto:schuster.cindy@epa.gov)

# Cleanup Process and Community Involvement Activities for the Lower Duwamish Waterway Superfund Site

## Phase I and Phase II Remedial Investigation/ Feasibility Study (RI/FS)

## Community Involvement Opportunities

**December 2000**

### Administrative Order on Consent

- EPA and Ecology enter legal agreement with King County, City of Seattle, Port of Seattle, and The Boeing Company.
- These parties agree to work together to identify problem areas and to plan how to address the cleanup.



**August – October 2000**

### Public Comment on Administrative Order on Consent

- 75-day Public Comment Period
- Public Hearing
- Responsiveness Summary  
December 2000

**January 2001 – Winter 2002/2003**

### Phase I RI/FS

- Summarize results of previous investigations
- Assess risks to humans and the environment
- Propose priority areas for early cleanup
- Identify cleanup alternatives
- Identify gaps in existing data



**Spring 2002**

### Public Comment on Community Involvement Plan

- 30-day Informal Public Comment Period

**July – September 2002**

### Public Comment on

- Priority areas for early cleanup
- Phase I draft RI report
- Identification of gaps in existing data
- 45-day Informal Public Comment Period
- Public Meeting

**(Schedule to be Determined)**

### Phase II RI/FS

- Obtain further data to fill “gaps”
- Assess risks to humans and the environment
- Identify cleanup alternatives
- Propose long-term cleanup plan



**(Schedule to be Determined)**

### Public Comment on Phase II RI/FS Report and Proposed Cleanup Plan

- Public Comment Period
- Public Hearing
- Responsiveness Summary

Ecology and EPA may hold additional public comment periods and meetings prior to the Phase II RI/FS.

## Appendix: Community Involvement Activities to Date

### ***Fact Sheets***

EPA and Ecology have mailed the following:

- August 2000, fact sheet
- October 2000, post card announcement
- December 2000, fact sheets
- December 2000, fact sheet in English and Spanish
- March 2001, post card announcement in English and Spanish
- May 2002, fact sheet
- July 2002, fact sheet in Spanish
- July 2002, fact sheet in English and Spanish

### ***Mailing Lists***

To further develop the mailing lists, one of the English language fact sheets mailed in December 2000 went to nearly 9,000 addresses near the Lower Duwamish Waterway site, and the Spanish language fact sheet of December 2000 was mailed to about two dozen cooperating organizations for distribution. These mailings resulted in the addition of 115 new names to the English language mailing list and the inclusion of five names on a new Spanish language mailing list. The mailing lists are regularly updated.

### ***Formal Public Comment Periods and Responsiveness Summaries***

Ecology and EPA held an extended public comment period for the Lower Duwamish Waterway site from August 2 to October 16, 2000. During this time, the community had the opportunity to comment on the draft Administrative Order on Consent for the Remedial Investigation/Feasibility Study, which is a legal agreement for an investigation of the contamination at the site. All public comments made during the public comment period are presented and addressed in the Lower Duwamish Waterway Site Responsiveness Summary, dated December 13, 2000.

From December 1, 2000, through March 6, 2001, EPA held an extended formal comment period on the proposed listing of the Lower Duwamish Waterway as a Superfund site. EPA then prepared a responsiveness summary for the listing comments.

### ***Informal Review Opportunities***

In addition to formal comment periods, EPA and Ecology have held these informal review opportunities for the site:

- July - August 2002, Draft Phase I Remedial Investigation Report
- August 2002, Draft Candidate Early Action Site Identification Memo
- August - September 2002, Draft Identification of Data Gaps Report

### ***Public Meetings and Hearings***

EPA and Ecology have regularly attended community and advisory group meetings to present information about the site investigation, cleanup plans, source control and plans for designating parties potentially responsible for cleanup activities.

The agencies have held three public meetings for the Lower Duwamish Waterway site:

- August 16, 2000, Union Hall, 9135 15th Place South, Seattle, agencies presented information about the site and a proposed agreement for an investigation of the contamination. The meeting included an opportunity to make formal comments.
- October 4, 2000, South Park Area Redevelopment Committee Building, 8201 Tenth Avenue South, Seattle. The Duwamish River Cleanup Coalition hosted the meeting.
- August 6, 2002, South Park Community Center, 8319 Eighth Avenue South, Seattle, agencies presented information on draft remedial investigation reports and answered questions.

### ***Site Register and Federal Register***

Ecology and EPA announced public comment periods and other activities in Ecology's *Site Register* and the federal government's *Federal Register*. The registers have printed these announcements for the site:

- August 2000, *Site Register*, public comment period for the draft administrative order for the remedial investigation/feasibility study
- December 1, 2000, *Federal Register*, proposal of the site to the Superfund list
- September 13, 2001, *Federal Register*, final listing of the site on the Superfund list
- May 28, 2002 and June 11, 2002, *Site Register*, public comment period on the draft Community Involvement Plan and the draft Hispanic Community Involvement Plan
- July 23, 2002, *Site Register*, public meeting on draft Phase I remedial investigation report.

### ***Newspaper Ads and Inserts***

EPA and Ecology have placed the following ads and inserts for the site to date:

- July 31, 2000, *The Seattle Times* ad announcing public comment period and meeting on proposed administrative order on consent
- August 14, 2000, second *The Seattle Times* ad announcing public comment period and meeting on proposed administrative order on consent
- August 2000, *The Seattle Times* flyer announcing public comment period and meeting on proposed administrative order on consent
- August 22, 2000, *The Seattle Times* ad announcing extension of public comment period and second public meeting on administrative order on consent
- January 2001, *The Seattle Times* ad announcing availability of EPA technical assistance grant for the site
- May 29, 2002, *The Seattle Times* ad announcing public comment period on draft Community Involvement Plan and draft Hispanic Community Involvement Plan.

### ***Ecology and EPA Grants***

In May 1999, because no grants were then available, Ecology provided a contractor to assist the community advisory group for the Lower Duwamish Waterway site. Subsequently, two of the organizations represented in the group, now named the Duwamish River Cleanup Coalition, have received grants for outreach work on the site. Specifically, in September 2001, Ecology awarded People for Puget Sound a \$60,000 public participation grant to conduct outreach related to the site. In August 2001, EPA awarded Waste Action Project a \$50,000 technical assistance grant that is being used mainly to fund a technical advisor to interpret technical information about the site for the community.

### **More Information**

If you have questions or need more information about this plan or the Lower Duwamish Waterway site, please contact one of the following persons:

**Cindy Colgate Schuster,**  
**Community Involvement Coordinator**  
**U.S. Environmental Protection Agency**  
 1200 Sixth Avenue, Seattle, WA 98101  
 (206) 553-1815  
[schuster.cindy@epa.gov](mailto:schuster.cindy@epa.gov)

**Rick Huey, Project Manager**  
 Washington State Department of Ecology  
 Northwest Regional Office  
 3190 160th Avenue S.E., Bellevue, WA  
 98008-5452  
 (425) 649-7256  
[rhue461@ecy.wa.gov](mailto:rhue461@ecy.wa.gov)

**Allison Hiltner, Project Manager**  
 U.S. Environmental Protection Agency  
 1200 Sixth Avenue, Seattle, WA 98101  
 (206) 553-2140  
[hiltner.allison@epa.gov](mailto:hiltner.allison@epa.gov)